

Customer Number
29315



Application Serial No.: 10/041,571
Attorney Docket No.: 23452-148
Appellants' Brief on Appeal under 37 C.F.R. § 1.192

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Andrew Myers
SERIAL NUMBER : 10/041,571
FILING DATE : January 10, 2002
FOR : SYSTEM AND METHOD FOR ANNOTATING VOICE MESSAGES

CONFIRMATION No.: 5212
EXAMINER : O. Escalante
ART UNIT : 2645

Appellants' Brief On Appeal Under 37 C.F.R. §1.192

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Sir:

Further to the Notice of Appeal filed on June 22, 2004, Appellants herewith submit Appellants' Brief on Appeal in triplicate pursuant to 37 C.F.R. §1.192(a).

In accordance with §1.17(c), a check in the amount of \$330.00 representing the fee for filing an Appeal Brief is attached. It is believed that no other fees are due in connection with this submission beyond those that otherwise may be provided for in documents accompanying this paper. However, if it is determined otherwise, the Commissioner is authorized to credit any overpayment or charge any deficiencies to the undersigned's account, Deposit Account No. 50-0311, Reference No. 23452-148.

(1) REAL PARTY IN INTEREST

By virtue of the assignment recorded January 10, 2002 at reel 012473, frame 0285, the real party in interest is **International Business Machines Corporation**, a New York corporation having a place of business in Armonk, New York.

(2) RELATED APPEALS AND INTERFERENCES

Based on information and belief, there are no related appeals or interferences.

(3) STATUS OF THE CLAIMS

Claims 1-23 are pending in this application. Claims 1-23 stand rejected under 35 U.S.C. 103(a) as being obvious over Wilcox et al. (U.S. Patent No. 6,404,856) in view of Becker et al. (Publication No. US 2002/0130904 A1). The rejection of each of claims 1-23 is appealed.

(4) STATUS OF AMENDMENTS

Appellants have not amended the claims subsequent to a Final Office Action dated February 23, 2004.

(5) SUMMARY OF THE INVENTION

The present invention enables entry of annotations for audible messages received by a unified communication service (see the specification at page 2, lines 11-12). Textual annotations may be entered simultaneously with playback of the audible messages and may be placed on the same message presentation form as the audible messages (see the specification at page 2, lines 12-13). The invention solves, among other things, the problems associated with audible messages being provided as an attached audible file to an email message, the lack of provisions for simultaneously annotating an audible message during playback of the message, the separate storage of any notes that are taken related to a audible message, and the lack of provisions for searching the annotations

associated with the audible messages (see the specification at page 1, line 15 to page 2, line 7).

In an exemplary embodiment, a message presentation form contains various fields, including a notes field that enables a subscriber to annotate audible messages during playback of the audible messages (see the specification at page 7, lines 4-6). A message forwarder may be provided to enable the subscriber to forward audible messages to subsequent message recipients, wherein the annotations associated with the audible messages are forwarded at the option of the subscriber (see the specification at page 7, lines 16-17).

In another exemplary embodiment, the notes field may include an area which enables the subscriber to input or alter text annotations, while the integrated audible message player is playing or recording an audible message (see the specification at page 7, lines 6-9).

(6) ISSUE

The issue on appeal is whether claims 1-23 are patentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,404,856 to Wilcox et al. ("Wilcox") in view of U.S. Patent Application Publication No. 2002/0130904 to Becker et al. ("Becker").

(7) GROUPING OF CLAIMS

All of the pending claims are separately patentable. However, Appellant has grouped claims that recite similar features for purposes of this appeal. Independent claims 1, 7, 12 and 18 stand or fall together. Claims 2, 8, 13 and 19 stand or fall together. Claims 3, 9, 14 and 20 stand or fall together. Claims 4, 10, 15 and 21 stand or fall together. Claims 5, 11, 16 and 22 stand or fall together. Claims 6, 17 and 23 stand or fall together.

(8) ARGUMENT

Each of claims 1-23 is allowable over the cited references because the Examiner fails to set forth a *prima facie* case of obviousness for any claim. The Examiner fails to

show that the applied references, even if combined, teach or suggest all claim elements, fails to provide a legal basis to modify or combine the cited references, and improperly relies on non-analogous art.

A. **Independent Claims 1, 7, 12, and 18**

1. Wilcox and Becker Do Not Disclose Every Claim Element

Regarding independent claims 1, 12 and 18, these claims recite the features of a notes field that enables the subscriber to annotate the audible messages during playback of the audible messages and a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber, among other things. Regarding independent claim 7, this claim recites the features of providing a notes field associated with the graphical user interface that enables the subscriber to annotate the audible messages during playback of the audible messages and providing a message forwarder associated with the graphical user interface that enables forwarding of audible messages to other recipients wherein the annotations in the notes field associated with the audible messages are forwarded at the option of the subscriber, among other things.

The Examiner acknowledges that Wilcox is deficient for failing to disclose the claimed feature of “a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber,” (see page 1, paragraph number 3 and page 3, the sixth full paragraph, of the final office action dated February 23, 2004). In fact, Wilcox does not teach or suggest a message forwarder *at all*. As a result, Wilcox does not teach or suggest a message forwarder that enables forwarding of any messages, wherein the messages, indexed or not indexed, are forwarded at the option of the subscriber. At best, Wilcox discloses a system for recording, indexing, and retrieving voice mail messages for personal use (see Wilcox, col. 2, lines 35-37). Wilcox enables a user to index personal voice messages by providing digital properties, time stamping, and keywords (see Wilcox, col. 6, lines 64-66).

The Examiner relies on Becker to overcome the above deficiency of Wilcox. In particular, the Examiner alleges that “Becker teaches that it was well known in the art to

have a message forwarder that enables forwarding of audible messages (paragraphs 47 and 89) to other recipients and wherein annotations are forwarded at the option of the subscriber, (paragraphs 51 and 56)” (see page 2, first full paragraph of the final office action dated February 23, 2004). Becker discloses a graphical user interface having a unique graphical indexing element for each engaged and non-engaged messaging session (see Becker, the Abstract). Becker also discloses several online messaging devices, including audio messaging services provided for various operating systems and applications running on personal data assistant devices (see Becker, paragraph 0047).

While Becker appears to disclose annotating “an entire messaging session” to another pal (see Becker, paragraph 0081), Becker does not teach or suggest that the annotation may be included during playback of the “entire messaging session”. Rather, Becker discloses that the decision to annotate or not to annotate the “entire messaging session” is made at the time the entire messaging session is to be forwarded.

In other words, Becker discloses annotating the entire messaging session at the time the session is prepared for forwarding, but does not disclose enabling the user to annotate the entire messaging session during playback and *thereafter* deciding to forward the session with or without annotations. At best, the combination of Wilcox and Becker would result in the entire messaging session of Wilcox being forwarded with annotations made *at the time the entire messaging session is to be forwarded*, as disclosed by Becker. Thus, while Becker discloses a “Forward” command that enables a user to add a text message when forwarding messages to another pal or to the user’s archives (see Becker, paragraph 0056), Becker does not disclose annotating a message *during playback* of the entire messaging session. In view of the foregoing, neither Wilcox nor Becker, alone or in combination, disclose the features of a notes field that enables the subscriber to annotate the audible messages during playback of the audible messages and a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber.

In the “Response to Arguments” section of the final office action, the Examiner alleges that Becker discloses that “a user uses a microphone to leave a message for a pal. The user can then forward that message to other pals” (see the last paragraph on page 4 of

the final office action dated February 23, 2004). While Becker may support forwarding of voice messages, the Examiner has not provided any support for his position that Becker discloses a message forwarder that enables forwarding of *audible messages and annotations* at the option of the subscriber. Even if Becker discloses forwarding voice messages, Becker does not teach or suggest a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber.

For at least the reasons set forth above, Applicants submit that none of the references cited by the Examiner, either alone or in combination, teach all of the features of independent claims 1, 7, 12, and 18. Thus, independent claims 1, 7, 12, and 18 are allowable over the cited references.

2. *There is No Proper Suggestion to Combine Wilcox and Becker*

Assuming, *arguendo*, that the combination of Wilcox and Becker disclose all elements of the claims, there must be a proper suggestion to combine the two references. No such basis exists. To establish a *prima facie* case of obviousness, the Examiner must provide an objective motivation to combine the references. He does not.

The Court of Appeals for the Federal Circuit has stated:

[The PTO] can satisfy [the obviousness] burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references.

Tec Air Inc. v. Denso Mfg. Michigan, Inc., 53 U.S.P.Q.2d 1294, 1298 (Fed. Cir. 1999)(citing *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988)).^{1/}

“Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention.” *Crown Operations Int’l, Ltd. V. Solutia Inc.*, 289 F.3d 1367, 1376 (Fed. Cir. 2002) (quoting *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 546 (Fed. Cir. 1998)). This

^{1/} See also, *In re Fitch*, 23 U.S.P.Q. 1780 (Fed. Cir. 1992); *ACS Hosp. Systems, Inc. v. Montefiore Hosp.*, 221 U.S.P.Q. 929 (Fed. Cir. 1992).

protection against hindsight is particularly important because there is “a general rule that combination claims can consist of combinations of old elements as well as new elements,” *Clearstream Wastewater Sys. V. Hydro-Action, Inc.*, 206 F.3d 1440, 1446 (Fed. Cir. 2000). “[T]he notion . . . that combination claims can be declared invalid merely upon finding similar elements in separate prior patents would necessarily destroy virtually all patents and cannot be the law under the statute, § 103.” *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 665 (Fed. Cir. 2000) (quoting *Panduit Corp.*, 810 F.2d at 1575).

“[V]irtually all [inventions] are combinations of old elements.” Therefore, an examiner [or accused infringer] may often find every element of a claimed invention in the prior art. If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue. Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner [or accused infringer] to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention.

....

To counterclaim this potential weakness in the obviousness construct, the suggestion to combine requirement stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness.

Yamanouchi Pharm. Co., Ltd. V. Danbury Pharm., Inc., 231 F.3d 1339, 1343 (Fed. Cir. 2000) (quoting *In re Rouffet*, 149 F.3d 1350, 1357-58 (Fed. Cir. 1998)) (internal citations omitted) (emphasis original).

The Examiner fails to establish a legally sufficient basis for combining the references, let alone any objective motivation to modify Wilcox as suggested. The teaching, if any, to combine Wilcox and Becker is only found in Appellant's application. This amounts to impermissible hindsight.

The Examiner admits that Wilcox “does not specifically teach a message forwarder that enables forwarding of audible messages and annotations at the option of the subscriber,” (see page 1, paragraph number 3 and page 3, the sixth full paragraph of the final office action dated February 23, 2004). The Examiner improperly seeks to modify Wilcox in light of Becker to overcome these deficiencies. There is no legally proper way to combine these references.

The Examiner asserts that since “Becker teaches that it was well known in the art to have a message forwarder that enables forwarding of audible messages (paragraphs 47 and 89) to other recipients and wherein annotations are forwarded at the option of the subscriber, (paragraphs 51 and 56)” (see page 2, first full paragraph of the final office action dated February 23, 2004), it would have been obvious “to modify the device of Wilcox by allowing a user to forward annotated messages as suggested by Becker so that a user can forward messages to other users and so that information can be shared among said users,” (see page 2, second full paragraph of the final office action dated February 23, 2004). The Examiner’s reasoning is legally flawed for at least two reasons.

First, Becker at best teaches forwarding of annotations that are created at the time of forwarding the entire messaging session. Becker fails to disclose annotation that are created during playback of the entire messaging session. Thus, while Becker may disclose the ability to receive messages of multiple types, including audio, Becker does not disclose forwarding voice messages and optionally forwarding annotations associated with the voice messages that are created during playback of the entire messaging session. Thus, the Examiners assertion that Becker teaches a message forwarder that enables forwarding of audible messages with annotations forwarded at the option of the subscriber is an incorrect characterization of Becker.

Second, Wilcox does not disclose forwarding of any messages at all. Wilcox discloses, at best, indexing voice mail messages for personal use. Thus, without any suggestion provided by Wilcox to indicate a desire to forward the indexed messages, there is not motivation to combine Wilcox with Becker to enable forwarding of the indexed voice mail. Any combination of these two references is necessarily based on impermissible hindsight.

3. *Becker is Not Analogous Art to the Claimed Invention*

Becker is not analogous to the claimed invention. The only art relevant to consideration of obviousness is analogous art. *Wang Lab., Inc. v. Toshiba Corp.*, 993 F.2d 858, 864 (Fed. Cir 1993). If a reference is not analogous to the present invention, then it is not prior art, and it cannot be used to defeat the patentability of the claimed

invention. Non-analogous art is too remote to constitute prior art. *In re Clay*, 966 F.2d 656, 658 (Fed. Cir. 1992).

Two criteria determine whether a particular reference is analogous art. First, if the reference is within the inventor's field of endeavor, then it is deemed analogous. *Wang*, 993 F.2d at 864; *Clay*, 966 F.2d at 659. Second, if the reference is reasonably pertinent to the particular problem with which the inventor was involved, it is analogous art. *Wang*, 993 F.2d at 864; *Clay*, 966 F.2d at 659. As the Federal Circuit held in *Clay*:

A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem. Thus, the purposes of both the invention and prior art are important in determining whether the reference is reasonably pertinent to the problem the invention attempts to solve. If a reference disclosure has the same purpose as the claimed invention, the reference relates to the same problem, and that fact supports use of that reference in an obviousness rejection. An inventor may well have been motivated to consider the reference when making his invention. If it is directed to a different purpose, the inventor would accordingly have had less motivation or occasion to consider it.

966 F.2d at 659.

The field of endeavor of various ones of the claims relates to providing a system and method for annotating audible messages that are received within a unified communications service. Among other things, this enables the user to input notes related to an audible message simultaneously during playback of the audible messages and on the same message presentation form as the audible voice message player. Becker discloses a system of managing multiple textual messaging sessions between a user and various "pals" with a graphical user interface. This is not the same field of endeavor as that of the invention. Thus, Becker fails the first part of the test for non-analogous art.

The problems with which the invention solves include problems related to audible messages being provided as an attached audible file to a textual message, the lack of

provisions for simultaneous annotation of the audible message, separate storage of any notes or annotations that are taken relative to the audible message, the lack of provisions for text searching of annotations associated with the audible message, and other problems. Becker, in contrast, deals with the problems of multiple separate windows being used for exchanging instant text messages and thus cluttering a user's workstation. Thus, Becker is not directed to the same problems with which the invention is involved. Therefore, Becker also fails the second part of the test for non-analogous art. Having failed both parts of the test, Becker is not analogous art to the present invention and cannot be used to reject the claims. Thus, Examiner's reliance on Becker is legally improper. As a result, the rejections of each claim based on Becker is legally improper and must be reversed.

B. Claims 2, 8, 13 and 19 are Allowable over the Cited References

Claims 2, 8, 13 and 19 depend from and add additional features to a corresponding one of independent claims 1, 7, 12 and 18. Thus, for at least the reasons provided above, claims 2, 8, 13 and 19 are patentable over the cited references. Claims 2, 8, 13 and 19 further disclose a search tool that enables search and retrieval of audible messages based, at least in part, upon annotations in the notes field. The Examiner alleges that Wilcox discloses "a search tool that enables search and retrieval of audible messages based, at least in part, upon annotations in the notes field (col. 6, lines 31-63)" (see page 2, third full paragraph of the final office action dated February 23, 2004). However, these portions of Wilcox disclose searching based upon a designated property or on a specified keyword (see Wilcox at col. 6, lines 35-42). Wilcox does not, however, disclose searching annotations in a notes field. Becker fails to teach or suggest searching altogether. Thus, claims 2, 8, 13 and 19 are patentable over Wilcox and Becker, both alone and in combination with each other.

C. Claims 3, 9, 14 and 20 are Allowable over the Cited References

Claims 3, 9, 14, and 20 depend from and add additional features to a corresponding one of independent claims 1, 7, 12, and 18. Thus, for at least the reasons provided above, claims 3, 9, 14, and 20 are patentable over the cited references. Claims 3, 9, 14, and 20 further disclose a message forwarded adapted to forward annotations in

the notes field. The Examiner acknowledges that Wilcox fails to disclose this feature and relies on Becker to overcome this deficiency. However, Becker, at best, discloses a graphical user interface that displays a graphical indexing element such as a tab for each engaged and non-engaged messaging session (see Becker, the Abstract). While Becker may disclose forwarding a message to another user or forwarding an entire message session with annotations created at the time of forwarding, Becker does not disclose that the message forwarder is adapted to forward annotation *in the notes field*. Thus, claims 3, 9, 14, and 20 are patentable over Becker and Wilcox, both alone and in combination with each other.

D. Claims 4, 10, 15 and 21 are Allowable over the Cited References

Claims 4, 10, 15, and 21 depend from and add additional features to a corresponding one of independent claims 1, 7, 12, and 18. Thus, for at least the reasons provided above, claims 4, 10, 15, and 21 are patentable over the cited references. Claims 4, 10, 15, and 21 further disclose a message forwarded adapted to not forward annotations in the notes field. The Examiner acknowledges that Wilcox fails to disclose this feature and relies on Becker to overcome this deficiency. However, Becker, at best, discloses a graphical user interface that displays a graphical indexing element such as a tab for each engaged and non-engaged messaging session (see Becker, the Abstract). While Becker may disclose forwarding a message to another user or forwarding an entire message session with annotations created at the time of forwarding, Becker does not disclose that the message forwarder is adapted not to forward annotation *in the notes field*. Thus, claims 4, 10, 15, and 21 are patentable over Becker and Wilcox, both alone and in combination with each other.

E. Claims 5, 11, 16 and 22 are Allowable over the Cited References

Claims 5, 11, 16 and 22 depend from and add additional features to a corresponding one of independent claims 1, 7, 12, and 18. Thus, for at least the reasons provided above, claims 5, 11, 16, and 22 are patentable over the cited references. Claims 5, 11, 16, and 22 further disclose a subject field that enables input of a subject heading for

the audible messages. The Examiner alleges that Wilcox discloses a message presentation form having “a subject field that enables input of a subject heading for the audible message, (col. 4, lines 62-col. 5, line 17; col. 6, line[s] 31-63). This portion of Wilcox is directed to attaching properties to audio data (col. 4, line 62 to col. 5, line 17) and to associating keywords with the audio data (col. 6, lines 31-63). Becker also fails to disclose this feature. Thus, claims 5, 11, 16, and 22 are patentable over Wilcox and Becker, both alone and in combination with each other.

F. Claims 6, 17 and 23 are Allowable over the Cited References

Claims 6, 17 and 23 depend from and add additional features to a corresponding one of independent claims 1, 12, and 18. Thus, for at least the reasons provided above, claims 6, 17 and 23 are patentable over the cited references. Claims 6, 17, and 23 further disclose enabling a subject heading to be forwarded with the audible messages. The Examiner acknowledges that Wilcox is deficient in teaching or suggesting this feature and relies on Becker to overcome this deficiency. Specifically, the Examiner alleges that “Becker further teaches wherein the message forwarder enables forwarding of audible message with the subject heading, (paragraphs 51, 56, and 89).” However, none of these cited paragraphs nor any other portion of Becker disclose a subject heading nor the option to forward subject headings. Thus, claims 6, 17 and 23 are patentable over Wilcox and Becker, both alone and in combination with each other.

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Because the references relied upon by the Examiner fail to disclose, teach or suggest all of the claim features, Appellants respectfully request that the rejection of each of pending claims 1-23 under 35 U.S.C. §103(a) be reversed.

The present Brief on Appeal is being filed in triplicate.

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.

Dated: August 23, 2004

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APPENDIX A – PENDING CLAIMS

1. (Previously Presented) A system for annotating audible messages that are received by a subscriber of a unified communications service network, the system comprising:

a message presentation form that enables the subscriber to access audible messages, the message presentation form further comprising:

an audible message player that enables playback of audible messages;

a notes field that enables the subscriber to annotate the audible messages during playback of the audible messages; and

a message forwarder that enables forwarding of audible messages, wherein the annotations associated with the audible messages are forwarded at the option of the subscriber.

2. (Previously Presented) The system of claim 1 further comprising:
a search tool that enables search and retrieval of audible messages based, at least in part, upon annotations in the notes field.

3. (Previously Presented) The system of claim 1 wherein the message forwarder is adapted to forward annotations in the notes field.

4. (Previously Presented) The system of claim 1 wherein the message forwarder is adapted to not forward annotations in the notes field.

5. (Previously Presented) The system of claim 1 wherein the message presentation form further comprises:
a subject field that enables input of a subject heading for the audible messages.

6. (Previously Presented) The system of claim 5 wherein the message forwarder enables forwarding of audible messages with the subject heading.

7. (Previously Presented) A method for annotating audible messages that are received by a subscriber of a unified communications service network, the method comprising:

presenting the subscriber with a graphical user interface having a message presentation form that enables the subscriber to access audible messages;

providing an audible message player associated with the graphical user interface that enables playback of audible messages;

providing a notes field associated with the graphical user interface that enables the subscriber to annotate the audible messages during playback of the audible messages; and

providing a message forwarder associated with the graphical user interface that enables forwarding of audible messages to other recipients wherein the annotations in the notes field associated with the audible messages are forwarded at the option of the subscriber.

8. (Previously Presented) The method of claim 7 further comprising:
providing a search tool that enables search and retrieval of audible messages based, at least in part, upon annotations in the notes field.

9. (Previously Presented) The method of claim 7 wherein annotations in the notes field are forwarded.

10. (Previously Presented) The method of claim 7 wherein annotations in the notes field are not forwarded.

11. (Previously Presented) The method of claim 7 wherein the graphical user interface further enables the user to input a subject heading in a subject field for the audible messages and provides an option of forwarding the subject heading.

12. (Previously Presented) A system for annotating audible messages that are received by a subscriber of a unified communications service network, the system comprising:

message presentation form providing means for enabling the subscriber to access audible messages, the message presentation form means further comprising:

audible message player means for enabling playback of audible messages;

notes field means for enabling the subscriber to annotate the audible messages during playback of the audible messages; and

message forwarder means for enabling forwarding of audible messages to other recipients wherein annotations in the private notes field means associated with the audible messages are forwarded at the option of the subscriber.

13. (Previously Presented) The system of claim 12 further comprising:
search tool means for enabling search and retrieval of audible messages based, at least in part, upon annotations in the notes field means.

14. (Previously Presented) The system of claim 12 wherein the message forwarder means forwards the annotations in the notes field means.

15. (Previously Presented) The system of claim 12 wherein the message forwarder means does not forward the annotations in the private field means.

16. (Previously Presented) The system of claim 12 wherein the message presentation form providing means further comprises:

subject field means for enabling input of a subject heading for the audible messages.

17. (Previously Presented) The system of claim 16 wherein the message forwarder means enables forwarding of audible messages with the subject heading.

18. (Previously Presented) A processor readable medium having process readable code embodied therein for causing a processor to annotate audible messages that are received by a subscriber of a unified communications service network, the processor readable medium comprising:

processor readable code that enables a processor to present a message presentation form that enables the subscriber to access audible messages, the message presentation form further comprising:

an audible message player that enables playback of audible messages; and
a notes field that enables the subscriber to annotate the audible messages during playback of the audible messages;

processor readable code that enables a processor to provide a message forwarder that enables forwarding of audible messages to other recipients wherein annotations in the notes field associated with the audible messages are forwarded at the option of the subscriber.

19. (Previously Presented) The processor readable medium of claim 18 further comprising:

processor readable code that enables a processor to provide a search tool that enables search and retrieval of audible messages based, at least in part, upon annotations in the notes field.

20. (Previously Presented) The processor readable medium of claim 18 wherein annotations in the notes field are forwarded.

21. (Previously Presented) The processor readable medium of claim 18 wherein annotations in the notes field are not forwarded.

22. (Previously Presented) The processor readable medium of claim 18 wherein the processor readable code for presenting the message presentation form further includes presenting a subject field that enables input of a subject heading for the audible messages.

23. (Previously Presented) The processor readable medium of claim 22 wherein the processor readable code that enables a processor to provide the message forwarder enables forwarding of audible messages with the subject heading.

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